

**GENERAL ASSEMBLY OF NORTH CAROLINA**

**SESSION 2019**

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**HOUSE BILL 362**

**Senate Education/Higher Education Committee Substitute Adopted 6/26/19**

Short Title: 15-Point Scale For School Performance Grades.

(Public)

Sponsors:

Referred to:

March 18, 2019

1                   **A BILL TO BE ENTITLED**

2   AN ACT TO ADOPT A FIFTEEN-POINT SCALE IN THE DETERMINATION OF SCHOOL  
3   PERFORMANCE GRADES, TO REQUIRE THE STATE BOARD OF EDUCATION TO  
4   ADOPT EMERGENCY RULES IN PREPARATION FOR PERMANENT RULE  
5   MAKING, AND TO DIRECT THE STATE BOARD OF EDUCATION TO STUDY THE  
6   REPORTING METHODS USED FOR SCHOOL ACCOUNTABILITY PURPOSES ON  
7   THE NORTH CAROLINA ANNUAL SCHOOL REPORT CARDS.

8   The General Assembly of North Carolina enacts:

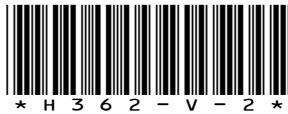
9                   **SECTION 1.** G.S. 115C-83.15(d) reads as rewritten:

10         "(d) Calculation of the Overall School Performance Scores and Grades. – The State Board  
11         of Education shall calculate the overall school performance score by adding the school  
12         achievement score, as provided in subsection (b) of this section, and the school growth score, as  
13         determined using EVAAS as provided in subsection (c) of this section, earned by a school. The  
14         school achievement score shall account for eighty percent (80%), and the school growth score  
15         shall account for twenty percent (20%) of the total sum. For all schools, the total school  
16         performance score shall be converted to a 100-point scale and used to determine an overall school  
17         performance grade. The overall school performance grade shall be based on the following scale  
18         and shall not be modified to add any other designation related to other performance measures,  
19         such as a "plus" or "minus":

- 20             (1)   A school performance score of at least 90-85 is equivalent to an overall school  
21         performance grade of A.
- 22             (2)   A school performance score of at least 80-70 is equivalent to an overall school  
23         performance grade of B.
- 24             (3)   A school performance score of at least 70-55 is equivalent to an overall school  
25         performance grade of C.
- 26             (4)   A school performance score of at least 60-40 is equivalent to an overall school  
27         performance grade of D.
- 28             (5)   A school performance score of less than 60 points-40 is equivalent to an  
29         overall school performance grade of F."

30                   **SECTION 2.(a)** Section 27.(b) of S.L. 2018-114 reads as rewritten:

31         **"SECTION 27.(b)** The General Assembly finds that the North Carolina Supreme Court, in  
32         *North Carolina State Board of Education v. State of North Carolina and North Carolina Rules*  
33         *Review Commission*, No. 110PA16-2 (June 8, 2018), affirmed the authority of the General  
34         Assembly to delegate authority to the Rules Review Commission to review and approve the  
35         administrative rules that are proposed by the State Board of Education for codification. To ensure  
36         that administration of the free public schools shall continue without interruption, the existing



1 policies of the State Board of Education subject to rule making as provided in Chapter 150B of  
2 the General Statutes shall be deemed interim rules so long as they do not conflict with any  
3 provisions of the General Statutes. Notwithstanding G.S. 150B-21.1A, those interim rules shall  
4 be adopted as permanent rules as follows:

- 5       (1) The State Board of Education shall adopt all interim rules as emergency rules  
6       and submit those rules to the Codifier of Rules no later than August 9, 2019.  
7       Notwithstanding G.S. 150B-21.1A(e), when the Codifier of Rules enters the  
8       emergency rules in the North Carolina Administrative Code, the Codifier shall  
9       publish notice of the emergency rules on the Internet. Any interim rule  
10      authorized by this section shall become null and void May 30, 2019, August  
11      9, 2019, if the State Board of Education has failed by that date to publish a  
12      notice of text in the North Carolina Register to adopt that interim rule as a  
13      permanent rule, as required by G.S. 150B-21.2, comply with the requirements  
14      of this subdivision.
- 15       (2) The State Board of Education shall not be required to adopt temporary rules  
16       for any emergency rules authorized by this section.
- 17       (3) The State Board of Education shall, no later than December 6, 2019, submit a  
18       notice for publication of text to adopt all emergency rules authorized by this  
19       section as permanent rules in the North Carolina Register no later than January  
20       2, 2020.
- 21       (4) Any interim emergency rule authorized by this section shall remain  
22       effective until the earlier of the adoption of that emergency rule as a permanent  
23       rule or May 30, 2020, but shall become null and void May 30, 2020, if the  
24       State Board of Education has failed to adopt that interim emergency rule as a  
25       permanent rule by that date in accordance with Article 2A of Chapter 150B of  
26       the General Statutes."

27      **SECTION 2.(b)** This section applies to interim rules of the State Board of Education  
28 existing on May 29, 2019. The State Board of Education shall take any necessary steps to affirm  
29 and validate any actions taken pursuant to interim rules between May 30, 2019, and the date this  
30 section becomes effective.

31      **SECTION 3.** The State Board of Education, in consultation with the State  
32 Superintendent of Public Instruction, shall study (i) the weighting of the school achievement  
33 score and the school growth score in calculation of the overall school performance score to best  
34 reflect performance and progress for each school and (ii) the reporting methods used to  
35 meaningfully differentiate schools on the North Carolina annual school report cards. Based on  
36 its study, the State Board shall propose recommendations on whether any changes should be  
37 made to the current weighting of school achievement scores and school growth scores and how  
38 the reporting methods for school performance scores could be improved to more accurately  
39 reflect the effectiveness of each North Carolina public school. With the goal of maintaining the  
40 current school achievement and school growth measures, the study shall examine methods of  
41 reporting data that will better depict school performance and progress. The study shall analyze  
42 the feasibility of the following:

- 43       (1) Reporting school achievement and school growth separately.
- 44       (2) Reporting by graph, in a manner that depicts the intersection of (i) school  
45           achievement and growth scores, (ii) local school administrative unit  
46           achievement and growth scores, and (iii) State achievement and growth  
47           scores.
- 48       (3) Including the school achievement and school growth scores for the prior two  
49           school years in annual graphical reporting, in order to provide stakeholders  
50           with clear, consistent data on individual school progress.

1           The State Board, together with the Superintendent, shall submit a final report of the  
2 results of its study along with its recommendations to the Joint Legislative Education Oversight  
3 Committee by February 15, 2020.

4           **SECTION 4.** This act is effective when it becomes law. Section 1 of this act applies  
5 beginning with the 2019-2020 school year.